

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

EDUARDO ALEXANDRO MATHEW )

Plaintiff, )

v. )

1:09-CV-00253-S-LDA

THE DONALD WYATT DETENTION )  
FACILITY; WAYNE T. SALISBURY, JR.; )  
TIMOTHY E. TAPLEY; DINAL PECCHIA; )  
MAUREEN MEDEIROS; JOHN RIEDEL M.D. )  
CAPTAIN COBURN; CORNELL )  
COMPANIES, INC.; U.S. IMMIGRATION )  
AND CUSTOMS ENFORCEMENT; )  
UNKNOWN UNITED STATES )  
IMMIGRATION AND CUSTOMS )  
ENFORCEMENT OFFICIALS; BRUCE )  
CHADBOURNE; MICHAEL WEBSTER; )  
MICHAEL CHERTOFF; DONALD KENT; )  
ALBERTO GONZALES; UNKNOWN WYATT )  
CORRECTIONAL OFFICERS; UNKNOWN )  
WYATT ADMINISTRATORS; UNKNOWN )  
WYATT MEDICAL STAFF )

Defendants. )

**ORDER ADOPTING REPORT AND RECOMMENDATION GRANTING MOTION TO  
SUBSTITUTE UNITED STATES AS DEFENDANT AS TO TENTH CAUSE OF  
ACTION AND GRANTING MOTIONS TO DISMISS OF FEDERAL DEFENDANTS**

The Report and Recommendation ("R & R") of United States Magistrate Judge Lincoln D. Almond issued on January 8, 2010, is adopted in its entirety. For the reasons stated in the R & R, the Motion to Substitute the United States of America for Defendants U.S. Immigration and Customs Enforcement ("ICE"), Bruce Chadbourne, Michael Webster, Michael Chertoff, Donald Kent, and Alberto Gonzales ("Federal Defendants") as to the tenth cause of action is hereby GRANTED, the Motion to Dismiss the Official Capacity Defendants is hereby GRANTED, and the Motion to Dismiss the Individual Capacity Federal Defendants is hereby

GRANTED. Accordingly, all of the claims made by Plaintiff against Defendants United States of America, U.S. Immigration and Customs Enforcement ("ICE"), Bruce Chadbourne, Michael Webster, Michael Chertoff, Donald Kent, and Alberto Gonzales, which are found in his Fourth, Fifth, Sixth, Seventh, and Tenth Causes of Action, are DISMISSED WITH PREJUDICE.

SO ORDERED this 14<sup>th</sup> day of January, 2010.

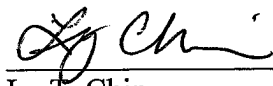
WESM

WILLIAM E. SMITH  
UNITED STATES DISTRICT COURT JUDGE

**CERTIFICATE OF SERVICE**

I hereby certify that on the 14th day of January, 2010, I caused a copy of the within proposed Order Adopting Report and Recommendation Granting Motion to Substitute United States As Defendant As To Tenth Cause of Action And Granting Motions to Dismiss of Federal Defendants.to be forwarded, by postage prepaid mail, to:

Edwardo Alexandro Mathew (pro se)  
560 Elmwood Ave.  
Providence, RI 02907



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